

# CHAPTER II—VEHICLE AND HIGHWAY SAFETY

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## SUBCHAPTER A [RESERVED]

## SUBCHAPTER B—PROCEDURAL RULES

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**SUBCHAPTER A [RESERVED]****SUBCHAPTER B—PROCEDURAL RULES****PART 209—GENERAL  
PROCEDURAL RULES****Subpart A—General**

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**AUTHORITY:** The provisions of this Part 209 issued under secs. 110(e), 119, National Traffic and Motor Vehicle Safety Act of 1966, 80 Stat. 718; 23 U.S.C. 315, Ch. 4; Delegation of Authority of Oct. 20, 1966, 31 F.R. 13952.

**SOURCE:** The provisions of this Part 209 appear at 31 F.R. 16267, Dec. 20, 1966, unless otherwise noted.

**Subpart A—General****§ 209.1 Scope.**

This part contains rules of procedure generally applicable to the transaction of official business under the National Traffic and Motor Vehicle Safety Act of 1966 and the Highway Safety Act of 1966. These rules apply in addition to the rules governing specific proceedings. In case of inconsistency with these general rules, the specific rules prevail.

**Subpart B—[Reserved]****Subpart C—Submittals in Writing****§ 209.31 Form of communications.**

Any communication in writing relating to official business (including formal documents) shall be on opaque and durable paper not larger than 9 by 14 inches in size. Tables, charts, or originals of other documents that are attached to communications shall be folded to this size, if possible. The left margin of communications shall be at least 1½ inches wide, and if a communication is bound, it shall be bound on the left side. All copies submitted shall be legible.

**§ 209.33 Address of communications.**

Unless otherwise specified, communications shall be addressed to the Under Secretary of Commerce for Transportation, U.S. Department of Commerce, Washington, D.C. 20230. They may be marked as intended for the attention of the Administrator or Deputy Administrator of the National Traffic Safety Agency or the National Highway Safety Agency. They may not be addressed to a staff member's private address.

**§ 209.35 Subscription of communications.**

Each communication shall be signed in ink and shall disclose the full legal name and the address of the person signing it and, if he is an agent, of his principal.

**§ 209.37 Language of communications.**

Communications and attachments thereto shall be in English. Any matter written in a foreign language will be considered only if accompanied by a translation into English. A translation shall bear a certificate by the translator certifying that he is qualified to make the translation; that the translation is complete except as otherwise clearly indicated; and that it is accurate to the best of the translator's knowledge and belief. The translator shall sign the certificate in ink and state his full legal name, occupation, and address.

**Subpart D—Service of Process;  
Agents****§ 209.41 [Reserved]****§ 209.43 [Reserved]****§ 209.45 Service of process on foreign manufacturers and importers.**

(a) *Designation of agent for service.* Any manufacturer, assembler, or importer of motor vehicles or motor vehicle equipment (hereinafter called manufacturer) before offering a motor vehicle or item of motor vehicle equipment for importation into the United States, shall designate a permanent resident of the United States as his agent upon whom service of all processes, notices, orders, decisions, and requirements may be made for him and on his behalf as provided in section 110(e) of the Na-

tional Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718) and in this section. The agent may be an individual, a firm, or a domestic corporation. Any number of manufacturers may designate the same person as agent.

(b) *Form and contents of designation.* The designation shall be addressed to the Administrator, National Traffic Safety Agency, U.S. Department of Commerce, Washington, D.C. 20230. It shall be in writing and dated; all signatures shall be in ink. The designation shall be made in legal form required to make it valid, and binding on the manufacturer, under the laws, corporate bylaws, or other requirements governing the making of the designation by the manufacturer at the place and time where it is made, and the person or persons signing the designation shall certify that it is so made. The designation shall disclose the full legal name, principal place of business, and mailing address of the manufacturer. If any of the products of the manufacturer do not bear his legal name, the marks, trade names, or other designations of origin which these products bear shall be stated in the designation. The designation of agent shall provide that it remains in effect until withdrawn or replaced by the manufacturer. The designation shall bear a declaration of acceptance duly signed by the designated agent. The full legal name and mailing address of the agent shall be stated. Designations are binding on the manufacturer even when not in compliance with all the requirements of this section, until rejected by the Administrator. The designated agent may not assign performance of his functions under the designation to another person.

(c) *Method of service.* Service of any process, notice, order, requirement, or decision specified in section 110(e) of the National Traffic and Motor Vehicle Safety Act of 1966 may be made by registered or certified mail addressed to the agent, with return receipt requested, or in any other manner authorized by law. If service cannot be effected because the agent has died (or, if a firm or a corporation ceased to exist) or moved, or otherwise does not receive correctly addressed mail, service may be made by posting as provided in section 110(e).